

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:11-CR-337-BO

UNITED STATES OF AMERICA)
)
 v.)
)
KENNETH NORRIS SANDERS)

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of a guilty plea as to Count One of the Criminal Indictment by the defendant, Kenneth Norris Sanders, in open court on May 31, 2012, and

WHEREAS, the Court having heard additional evidence as to the connection between the property listed in the Bill of Particulars for Forfeiture of Property filed by the government on May 11, 2012, and the offense, and

WHEREAS, the Court finds, as required by Fed.R.Crim.P. 32.2(b)(1)(A), that the Government has established a nexus between the property which it seeks to forfeit and the offense to which the defendant plead guilty, and

WHEREAS, the following property is therefore forfeitable pursuant to 21 U.S.C. § 853, to wit, one tract of real property, as more particularly described in a deed recorded at Deed Book 5460, Page 459 of the Cumberland County Registry, being titled in the names of Kenneth Sanders and wife, Betty Sanders, and having the street address of 6504 Sudbury Drive, Fayetteville, North Carolina, a 2000 Chevrolet Cavalier, VIN No. 1G1JC1240Y7454424, titled to

Kendrick Norris, a Remington Model 870 12-gauge shotgun, and ammunition, and a Taurus .380 handgun and ammunition; and

WHEREAS, by virtue of said guilty plea and the Court's finding, the United States is now entitled to possession of said personal property, pursuant to Fed.R.Crim.P. 32.2(b)(3);

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the guilty plea and the Court's finding as to the nexus between the property and the offense, the United States is hereby authorized to seize the above-stated personal property, and it is hereby forfeited to the United States for disposition in accordance with the law, including destruction, as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

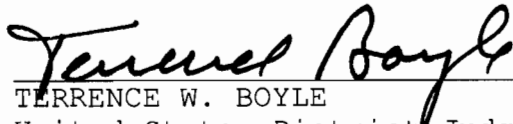
3. That pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal

interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853, as required by Fed. R. Crim. P. 32.2(c).

SO ORDERED. This 9 day of August, 2012.


TERRENCE W. BOYLE
United States District Judge